

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of BRYANT KERSEM GRAHAM  
and BYRAN KERSEEM GRAHAM, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

DANIELLE Y. DURRETT,

Respondent-Appellant,

and

BRYANT GRAHAM,

Respondent.

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UNPUBLISHED

July 7, 2005

No. 258702

Wayne Circuit Court

Family Division

LC No. 01-399737-NA

Before: Cooper, P.J., and Fort Hood and R. S. Gribbs\*, JJ.

PER CURIAM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to her two minor children under MCL 712A.19b(3)(b)(i), (b)(ii), (c)(i), (g), and (j). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E).

Respondent-appellant argues that the trial court clearly erred in finding that a statutory ground for termination had been met by clear and convincing evidence. We review the trial court's findings of fact for clear error. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). To terminate parental rights, the trial court must find that at least one of the statutory grounds for termination in MCL 712A.19b(3) has been met by clear and convincing evidence. MCR 3.977(J); *Miller, supra* at 337. If any of the statutory grounds for termination are met, the trial court must order termination of parental rights, unless it finds from evidence on the whole record that termination is clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000).

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\*Former Court of Appeals judge, sitting on the Court of Appeals by assignment.

Having reviewed the evidence in this case, we conclude that the trial court did not clearly err in finding that respondent failed to provide proper care or custody, MCL 712A.19b(3)(g), and that the conditions that led to the adjudication continue to exist, MCL 712A.19b(3)(c)(i). The condition leading to adjudication in this case was the fact that respondent, who was a fifteen-year-old court ward at the time, was not capable of providing for the children's needs without assistance. Despite the fact that respondent was offered such assistance through educational opportunities and placement in assisted living facilities, she left these legal placements without permission, opting instead to live independently in homes that were unheated and dirty. The evidence showed that when respondent was not under supervision, she neglected to care for her children, causing them to suffer from ringworm, untreated chest colds, excessive hunger and thirst, and untreated speech delays. The evidence showed that the only time respondent complied with her service plan was when she was confined as a juvenile delinquent. In light of this evidence, we conclude that the trial court did not clearly err in finding that respondent had failed to provide proper care or custody for her children.

By the time of the termination hearing respondent had turned eighteen, was working, and had had suitable housing for one month. However, she had not improved her parenting skills, was still using marijuana, had consistently rejected offers of support, and had not obtained her GED or attended a training program to learn marketable skills. Consequently, the trial court also did not clearly err in finding that, after three years, respondent had still not rectified the condition that led to adjudication. We need not address the trial court's findings on the remaining statutory grounds because only one statutory ground must be established to warrant termination of parental rights. *In re Sours Minors*, 459 Mich 624, 632; 593 NW2d 520 (1999).

We further conclude that the trial court properly determined that the evidence failed to show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The children had been in foster care for most of their short lives. The evidence was clear and convincing that while respondent was provided ample opportunity and numerous services designed to give her the skills and education necessary to become an adequate parent, to place the children's needs before her own, and to become a responsible adult member of society, she consistently failed to avail herself of these opportunities. Therefore, we conclude that trial court did not err in finding that termination was in the children's best interests.

Affirmed.

/s/ Jessica R. Cooper  
/s/ Karen M. Fort Hood  
/s/ Roman S. Gribbs